

## **REMARKS**

This paper is being filed in response to the Office Action mailed on August 30, 2010 (the “Office Action”).

### **STATUS OF THE CLAIMS**

Claims 19-35 and 37 are pending in the application, of which claims 19, 25 and 32 are in independent form. Claims 1-18 and 36 were previously canceled. Claim 32 is amended herein.

In the Office Action, claims 32-35 and 37 stand rejected under 35 U.S.C. § 101 as purportedly being directed to non-statutory subject matter. Claims 19-24, 25-31, 32-35, and 37 stand rejected under 35 U.S.C. § 102 as purportedly being anticipated by U.S. Patent Application No. 2004/0012631 by Skorski (“Skorski”). Claims 23 and 29 stand rejected under 35 U.S.C. § 103 as purportedly being unpatentable over Skorski in view of U.S. Patent Publication No. 2004/0220863 by Porter et al. (“Porter.”).

The Applicants appreciate the Examiner’s thorough examination of the Application, and respectfully request reconsideration of the claims in view of these amendments and remarks. With this response, the Applicants have addressed all of the issues raised in the Office Action; therefore, the Applicants submit that the Application is in condition for allowance and respectfully request the same.

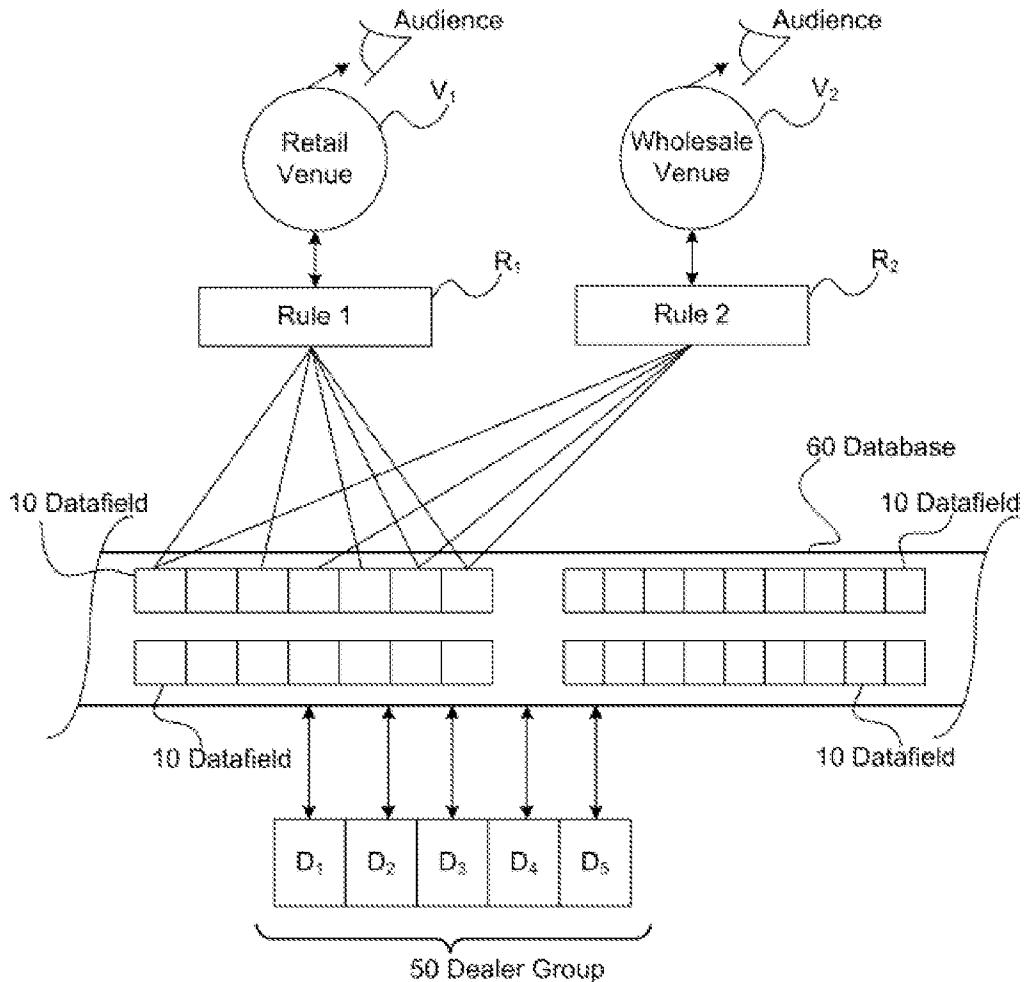
### **CLAIM REJECTIONS UNDER 35 U.S.C. § 101**

Claims 32-35 and 37 stand rejected under 35 U.S.C. § 101 as purportedly being directed to non-statutory subject matter. In accordance with the Federal Circuit case, *In re Bilski* 88 USPQ2d 1385 (Fed. Cir. 2008), a process must 1) be tied to a particular machine or apparatus; or 2) transform a particular article to a different state or thing. The Applicants have amended claim 32 as suggested in the Office Action to tie the claim to a particular machine. Accordingly, the Applicants respectfully traverse the rejections under 35 U.S.C. § 101.

## CLAIM REJECTIONS UNDER 35 U.S.C. §§ 102

Claims 19-24, 25-21, 32-35, and 37 stand rejected under 35 U.S.C. § 102 as purportedly being anticipated by Skorski. With the amendments and remarks herein, the Applicants respectfully traverse these rejections. A claim is properly anticipated under 35 U.S.C. § 102 only if “each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP §2131, *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628 at 631 (Fed. Cir. 1987); emphasis added. The reference must show the identical invention in as complete detail as is contained in the claim. *Id.*; emphasis added. Accordingly, all of the limitations must be arranged or combined in the same way as recited in the claim. *Net MoneyIN Inc. v. VeriSign Inc.*, 88 USPQ2d 1751 (Fed. Cir. 2008). Since Skorski fails to disclose selecting a first and second plurality of attributes from the same representation as recited in the claims, the Applicants respectfully traverse these rejections.

The disclosure teaches generating a “venue-specific” view of a representation of a specific tangible object. See Application at Abstract. Each of the views may differ with respect to which attributes of the object are included therein; the same database representation comprising the same set of attributes may be used to generate both views. See Application [0028]; *also see* Figures 1-4. The disclosure teaches that first and second views may be generated from the same representation of the same object in the same database. See Application [0034]; *also see* Figs. 1-4. As illustrated in Figure 3, rules can select different sets of attributes from the same object representation (database field):



As shown above, at least one attribute of the object representation (datafield 10) selected by Rule 1 is not selected by Rule 2, and at least one attribute selected by Rule 2 is not selected by Rule 1. Figure 3 also illustrates that the two views for both venues (V<sub>1</sub> and V<sub>2</sub>) are obtained from the same database (60 in Fig. 3) and from the same representation (data field) thereof (10 in Fig. 3).

The claims recite these features; claim 19 recites:

“accessing... the same specified representation in the same database... [and] selecting from the same plurality of attributes using a second rule... wherein at least one attribute in the second set is not included in the first plurality and at least one attribute in the first plurality is not included in the second plurality...” Claim 19; emphasis added; *also see claims 25 and 32.*

**SKORSKI FAILS TO DISCLOSE SELECTING A FIRST AND A SECOND PLURALITY OF ATTRIBUTES FROM THE SAME REPRESENTATION AS RECITED IN THE CLAIMS**

In contrast to the claims, Skorski appears to discuss filtering products to display in a catalog and/or combining the contents of two different data sources (a product information database and a template server). See Skorski [0019]-[0020]. Regarding the “filters” purportedly disclosed in Skorski, Skorski states:

“Any item to be entered into the catalog must be assigned a product group identification and code. The product group (or subgroup) identifications are selected so that they correspond to the desired contents of at least one custom catalog.” Skorski [0021]; emphasis added.

Skorski indicates that custom catalogs are created by “filtering” which products in the product database are to be included:

“...the retailer may define the displayed information via a form based selection system... to select products by product group identifier and then by specific products.” Skorski [0024]; emphasis added.

“...the computer system is queried for the information content to be displayed via the display template...product information corresponding to the product group identification or code is retrieved so that one or more products are displayed on that catalog page.” Skorski [0027]; emphasis added.

This is not what is claimed. In contrast to the product filtering discussed in Skoski, the claims recite using rules to select the “attributes [of a specific representation] to be included in the first view.” Claim 19; emphasis added. A discussion of filters to select products (e.g., which “specific tangible objects,” such as elements 10 in Figs. 1-4 of the Application) for a retailer’s catalog does not teach or disclose these features; Skorski does not disclose selecting different sets of attributes (or sets of product information) as recited in the claims. Id.

The Office Action purports that Skorski paragraphs [0009]-[0010] disclose these features, these paragraphs read:

“It would be desirable to provide a data system that would permit use of a unitary database of product information which will display data according to selected criteria, and in different formats, according to the type of user that accesses the information. In such manner, different populations of users can access different catalogs built from the same data. The system should present information pertinent to the user without requiring specific knowledge or action by the user, by dynamically presenting a list of products appropriate for the situation from which the user can select, which is integrated with various levels of filter criteria.”

“The invention comprises a computerized method for dynamically generating and displaying a catalog comprising a plurality of items, each item being classified by at least group information and product information.” Emphasis added.

The Applicants note that, again, Skorski discusses “dynamically presenting a list of products. *Id.* This is not what is claimed. In contrast to a “filter” to select which products are to be included in a catalog, the claims recite, “selecting from the plurality of attributes, the first plurality of attributes to be included in the first view using a first rule associated with the first venue.” Emphasis added.

#### ***THE SKORSKI TEMPLATE SERVER DOES NOT ANTICIPATE THE CLAIMS***

In further contrast to the claims, Skorski discusses a separate “template server” that includes retailer specific information, such as “shipping, costing [price] or other variables.” Skorski [0024]; *also see* [002]. Skorski Fig. 2 illustrates that a product may be given a different price in different retailer-specific catalogs. See Skorski Fig. 2. Skorski states that this “retailer-specific” information is defined in a retailer-specific display template:

“The template server is coupled to a database... which stores data and objects regarding the distributor’s products... The template server includes retailer specific information for each retailer such as retailer description, custom page header and footer, contact information, tax information, shipping information, etc...” Skorski [0019]-[0020]; emphasis added.

Skorski further states that the templates are used to, “select various shipping, costing, or other variables...to provide the retailer’s web catalog its appropriate content and look.” Skorski [0024].

However, combining retailer-specific template information with product information is not what is claimed. The claims recite, “selecting from the same plurality of attributes the second plurality of attributes...wherein at least one attribute in the second plurality is not included in the first plurality...” Claim 19; emphasis added; *also see* claims 25 and 32. The Skorski templates fail to disclose selecting as recited in these claims. The Skorski templates are not the same specific representation as recited in the claims. Moreover, Skorski does not teach or suggest that its templates are used to select attributes of a specific representation as recited in the claims. By contrast, Skorski states that product information from the product database is combined with information from a separate

**template server:**

“When the display template is found...The appropriate output module(s) are...called, each of which then queries the database storage computer system for the stored pages of all of the content fields associated with the specified page. The retrieved content is then supplied to a page generation module, which generates a display page from the content and the display template...”

“Thus, for a catalog page selected by the consumer, the computer database storage computer system is queried for information content...The information content is combined in a display template associated with the requested page.” Skorski [0026]-[0027]; emphasis added.

Skorski’s discussion of combining information from a product database with separate, retailer-specific template (in a template server as opposed to the product database), does not teach or disclose selecting attributes “from the same specific representation” as recited in the claims.

As noted in the Office Action, Skorski appears to discuss custom catalogs in which products are assigned different prices. See Skorski [0028]; *also* see Fig. 2. However, and as illustrated above, providing different pricing information via a retailer-specific template is not what is claimed. The claims do not recite combining the product information of a product database with retailer-specific information taken from a template server as discussed in Skorski. See Skorski [0019]-[0020]. By contrast, the claims recite selecting attributes from “the same plurality attributes” of the “same specific representation in the same database.” Claim 19; emphasis added.

Since Skorski fails to teach or disclose selecting a first and second plurality of attributes from, “the same plurality of attributes” and of the “same specific representation in the same database,” the Applicants respectfully traverse the rejection of claims 19-35 and 37 under 35 U.S.C. § 102.

***SKORSKI FAILS TO DISCLOSE SELECTING FIRST AND SECOND PLURALITY OF ATTRIBUTES AS RECITED IN CLAIM 25***

Claim 25 recites, “wherein the first plurality of attributes comprises an attribute not included in the second plurality, and the second plurality comprises an attribute not included in the first plurality.” In addition to the distinctions above, Skorski fails to teach or disclose a first and second plurality of attributes as recited in the claims. As noted in the

Office Action, Skorski indicates that different custom catalogs may have different, retailer-specific pricing. See Skorski [0028]; *also* see Fig. 2. However, applying a different value to the same attribute is not what is claimed. Claim 25 has recites that the first and the second plurality of attributes each comprise an attribute that “is not included” in the other plurality. Accordingly, not only does Skorski fail to teach or disclose selecting as recited in the claims, Skorski fails to teach or disclose a first and/or a second plurality of attributes as recited in claim 25.

### **CLAIM REJECTIONS UNDER 35 U.S.C. § 103**

Claims 23 and 29 stand rejected under 35 U.S.C. § 103 as purportedly being unpatentable over Skorski in view of Porter. The Office Action purports that Porter discloses “generating a third view comprising information regarding a plurality of tangible objects in the database for a third venue...” as recited in these claims. See Office Action pg. 14. The Office Action purports that Porter discloses,

“customer’s catalog is created based on the set of rules, or filters associated with the customer...the products of multiple sub-catalogs to be changed...merely by changing one inherited rule....figure 3...PORTER ET AL shows items (products) in state government catalog will include, or offer more items than the city government catalog, which will offer more items than the city schools catalog...This implies that the specific objects (items) are excludes [sp] from the view representation of the specific object and all attributes.” Office Action pgs. 14-15; emphasis added.

As discussed above, however, this is not what is claimed. The claims do not recite different catalogs that include different sets of items. By contrast, the claims recite:

“generating the first view comprising the first set of attributes [of a specific representation of a specific tangible object]...[and]...a second view comprising a second plurality of attributes of the same specific tangible object for a second venue....” Claim 25 emphasis added.

Claim 29 further recites:

“accessing a plurality of representations of respective, specific tangible objects...applying a third rule associated with the third venue to the representations, wherein the third rule excludes from the third view the representation of the specific tangible object and all attributes thereof.”

The Applicants do not believe, nor does the Office Action purport, that Porter cures the defects of Skorski with respect to claims 1 and/or 25 upon which claims 23 and 29

depend. Accordingly, the Applicants respectfully traverse the rejection of claims 23 and 29 under 35 U.S.C. § 103. See *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988); also see MPEP § 2143.03.

## **GENERAL CONSIDERATIONS**

By the remarks provided herein, the Applicants have addressed all outstanding issues presented in the Office Action. The Applicants note that the remarks presented herein have been made merely to clarify the claimed invention from elements purported by the Office Action to be taught by the cited references. Such remarks should not be construed as acquiescence, on the Applicants' part, as to the purported teachings or prior art status of the cited references, nor as to the characterization of the cited references advanced in the Office Action. Accordingly, the Applicants reserve the right to challenge the purported teachings and prior art status of the cited references at an appropriate time.

## **CONCLUSION**

For the reasons discussed above, the Applicants submit that the claims are in proper condition for allowance, and a Notice of Allowance is respectfully requested. If the Examiner notes any further matters that may be resolved by a telephone interview, the Examiner is encouraged to contact John Thompson by telephone at (801) 578-6994.

Respectfully submitted,  
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